

November 4, 1966 (OPINION)

Mr. Thomas W. Pagel

Executive Director

Governor's Council on Human Resources

RE: State - Governor's Council on Human Resources - Appropriation

This is in response to your request for an official ruling on the question whether or not the Public Welfare Board has provided the funds to the Governor's Council as set forth in Chapter 328 of the 1965 Session Laws.

As is material here, Section 6 of Chapter 328, 1965 Session Laws, provides as follows:

"SECTION 6. APPROPRIATION. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of \$32,000.00, of which the amount of \$16,000.00 shall be allocated for the governor's committee on children and youth and the sum of \$16,000.00 allocated for the governor's committee on employment of the handicapped. The public welfare board, through state and federal funds, shall provide the costs, in the amount of \$16,000.00 for the governor's committee on aging. These moneys shall be used for the biennium beginning July 1, 1965, and ending June 30, 1967."

It is noted that the Public Welfare Board is to provide, through state and federal funds, the costs for the Governor's Committee on Aging, in the amount of \$16,000.00. This language means that the Public Welfare Board is to contribute \$16,000.00 from any funds they have under their control or administration which come from either the state or federal government.

The question whether or not the Public Welfare Board has satisfied this requirement depends on whether or not the funds received from the Older American Act were funds under the control and administration of the Public Welfare Board.

You have advised us orally that the Older American Act in some form was administered by the Public Welfare Board, but during the biennium in question the Public Welfare Board did not administer or control funds received from the Older American Act. If this is correct, then the Public Welfare Board has only partially satisfied the requirements of Chapter 328 in the amount of \$12,762.02.

It is our opinion that the Public Welfare Board would still be required to contribute \$3,237.98 to satisfy the requirements of Chapter 328 of the 1965 Session Laws. This conclusion is based on the figures you represented to us that the Public Welfare Board has made the following contributions:

\$ 2,150.00 - State funds

4,160.00 - State funds

6,451.52 - Federal funds from Welfare Administration

Public Welfare Board

\$12,762.02 - Total State and Federal

HELGI JOHANNESON

Attorney General